

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JAMES O'CALLAGHAN,

Plaintiff,

– against –

UBER CORPORATION OF CALIFORNIA,

Defendant.

ORDER

17 Civ. 2094 (ER)

Ramos, D.J.:

On July 5, 2018, this Court granted Uber's motion to compel arbitration and stayed this case. Doc. 24. On October 2, 2020, after receiving no information regarding the status of these proceedings since that time, the Court issued an order requesting the parties to file a joint status report by November 1, 2020. Doc. 30. The Order advised the parties that failure to comply could result in dismissal for failure to prosecute pursuant to Fed. R. Civ P. 41(b). *Id.*

On October 23, 2020, defendant Uber informed the court that it has no record of Plaintiff O'Callaghan commencing an arbitration proceeding against it. Doc. 31. Uber further informed the court that it could not reach *pro se* Plaintiff O'Callaghan, and that there have been no further court proceedings in this case after Plaintiff's unsuccessful appeal to the Second Circuit. *Id.*

Accordingly, the court dismisses this case with prejudice pursuant to Fed. R. Civ. P. 41(b). The clerk of court is respectfully directed to close this case and to mail a copy of this Order to Plaintiff.

It is SO ORDERED.

Dated: October 26, 2020
New York, New York



Edgardo Ramos, U.S.D.J.